

Union Calendar No. 327

110TH CONGRESS
2D SESSION

H. R. 1922

[Report No. 110-536, Part I]

To designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2007

Mr. MAHONEY of Florida introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MARCH 3, 2008

Additional sponsors: Mr. HASTINGS of Florida and Mr. KLEIN of Florida

MARCH 3, 2008

Reported from the Committee on Natural Resources with amendments

[Strike out all after the enacting clause and insert the part printed in *italic*]

MARCH 3, 2008

Committee on Transportation and Infrastructure discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on April 18, 2007]

A BILL

To designate the Jupiter Inlet Lighthouse and the sur-

rounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Jupiter Inlet Lighthouse*
 5 *Outstanding Natural Area Act of 2008”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *COMMANDANT.*—*The term “Commandant”*
 9 *means the Commandant of the Coast Guard.*

10 (2) *LIGHTHOUSE.*—*The term “Lighthouse”*
 11 *means the Jupiter Inlet Lighthouse located in Palm*
 12 *Beach County, Florida.*

13 (3) *LOCAL PARTNERS.*—*The term “Local Part-*
 14 *ners” includes—*

15 (A) *Palm Beach County, Florida;*

16 (B) *the Town of Jupiter, Florida;*

17 (C) *the Village of Tequesta, Florida; and*

18 (D) *the Loxahatchee River Historical Soci-*
 19 *ety.*

20 (4) *MANAGEMENT PLAN.*—*The term “manage-*
 21 *ment plan” means the management plan developed*
 22 *under section 4(a).*

1 (5) *MAP.*—*The term “map” means the map enti-*
 2 *tled “Jupiter Inlet Lighthouse: Outstanding Natural*
 3 *Area” and dated October 29, 2007.*

4 (6) *OUTSTANDING NATURAL AREA.*—*The term*
 5 *“Outstanding Natural Area” means the Jupiter Inlet*
 6 *Lighthouse Outstanding Natural Area established by*
 7 *section 3(a).*

8 (7) *PUBLIC LAND.*—*The term “public land” has*
 9 *the meaning given the term “public lands” in section*
 10 *103(e) of the Federal Land Policy and Management*
 11 *Act of 1976 (43 U.S.C. 1702(e)).*

12 (8) *SECRETARY.*—*The term “Secretary” means*
 13 *the Secretary of the Interior.*

14 (9) *STATE.*—*The term “State” means the State*
 15 *of Florida.*

16 ***SEC. 3. ESTABLISHMENT OF THE JUPITER INLET LIGHT-***
 17 ***HOUSE OUTSTANDING NATURAL AREA.***

18 (a) *ESTABLISHMENT.*—*Subject to valid existing rights,*
 19 *there is established for the purposes described in subsection*
 20 (i) *the Jupiter Inlet Lighthouse Outstanding Natural Area,*
 21 *the boundaries of which are depicted on the map.*

22 (b) *PURPOSES.*—*The purposes of the Outstanding Nat-*
 23 *ural Area are to protect, conserve, and enhance the unique*
 24 *and nationally important historic, natural, cultural, sci-*
 25 *entific, educational, scenic, and recreational values of the*

1 *Federal land surrounding the Lighthouse for the benefit of*
2 *present generations and future generations of people in the*
3 *United States, while—*

4 (1) *allowing certain recreational and research*
5 *activities to continue in the Outstanding Natural*
6 *Area; and*

7 (2) *ensuring that Coast Guard operations and*
8 *activities are unimpeded within the boundaries of the*
9 *Outstanding Natural Area.*

10 (c) *AVAILABILITY OF MAP.—The map shall be on file*
11 *and available for public inspection in—*

12 (1) *the Office of the Director of the Bureau of*
13 *Land Management; and*

14 (2) *the Eastern States Office of the Bureau of*
15 *Land Management in the State of Virginia.*

16 (d) *WITHDRAWAL.—*

17 (1) *IN GENERAL.—Subject to valid existing*
18 *rights, section 6, and any existing withdrawals under*
19 *the Executive orders and public land order described*
20 *in paragraph (2), the Federal land and any interests*
21 *in the Federal land included in the Outstanding Nat-*
22 *ural Area are withdrawn from—*

23 (A) *all forms of entry, appropriation, or*
24 *disposal under the public land laws;*

1 (B) location, entry, and patent under the
2 public land mining laws; and

3 (C) operation of the mineral leasing and
4 geothermal leasing laws and the mineral mate-
5 rials laws.

6 (2) *DESCRIPTION OF EXECUTIVE ORDERS.*—The
7 Executive orders and public land order described in
8 paragraph (1) are—

9 (A) the Executive Order dated October 22,
10 1854;

11 (B) Executive Order No. 4254 (June 12,
12 1925); and

13 (C) Public Land Order No. 7202 (61 Fed.
14 Reg. 29758).

15 **SEC. 4. MANAGEMENT PLAN.**

16 (a) *IN GENERAL.*—Not later than 3 years after the
17 date of enactment of this Act, the Secretary, in consultation
18 with the Commandant, shall develop a comprehensive man-
19 agement plan in accordance with section 202 of the Federal
20 Land Policy and Management Act of 1976 (43 U.S.C. 1712)
21 to—

22 (1) provide long-term management guidance for
23 the public land in the Outstanding Natural Area; and

1 (2) *ensure that the Outstanding Natural Area*
2 *fulfills the purposes for which the Outstanding Nat-*
3 *ural Area is established.*

4 (b) *CONSULTATION; PUBLIC PARTICIPATION.—The*
5 *management plan shall be developed—*

6 (1) *in consultation with appropriate Federal,*
7 *State, county, and local government agencies, the*
8 *Commandant, the Local Partners, the Loxahatchee*
9 *River Historical Society, and other partners; and*

10 (2) *in a manner that ensures full public partici-*
11 *pation.*

12 (c) *EXISTING PLANS.—The management plan shall, to*
13 *the maximum extent practicable, be consistent with existing*
14 *resource plans, policies, and programs.*

15 (d) *INCLUSIONS.—The management plan shall in-*
16 *clude—*

17 (1) *objectives and provisions to ensure—*

18 (A) *the protection and conservation of the*
19 *resource values of the Outstanding Natural Area;*
20 *and*

21 (B) *the restoration of native plant commu-*
22 *nities and estuaries in the Outstanding Natural*
23 *Area, with an emphasis on the conservation and*
24 *enhancement of healthy, functioning ecological*
25 *systems in perpetuity;*

1 (2) objectives and provisions to maintain or
2 recreate historic structures;

3 (3) an implementation plan for a program of in-
4 terpretation and public education about the natural
5 and cultural resources of the Lighthouse, the public
6 land surrounding the Lighthouse, and associated
7 structures;

8 (4) a proposal for administrative and public fa-
9 cilities to be developed or improved that—

10 (A) are compatible with achieving the re-
11 source objectives for the Outstanding Natural
12 Area described in section 5(a)(1)(B); and

13 (B) would accommodate visitors to the Out-
14 standing Natural Area;

15 (5) natural and cultural resource management
16 strategies for the Outstanding Natural Area, to be de-
17 veloped in consultation with appropriate departments
18 of the State, the Local Partners, and the Com-
19 mandant, with an emphasis on resource conservation
20 in the Outstanding Natural Area and the interpre-
21 tive, educational, and long-term scientific uses of the
22 resources; and

23 (6) recreational use strategies for the Out-
24 standing Natural Area, to be prepared in consultation
25 with the Local Partners, appropriate departments of

1 *the State, and the Coast Guard, with an emphasis on*
 2 *passive recreation.*

3 *(e) INTERIM PLAN.—Until a management plan is*
 4 *adopted for the Outstanding Natural Area, the Jupiter Inlet*
 5 *Coordinated Resource Management Plan (including any*
 6 *updates or amendments to the Jupiter Inlet Coordinated*
 7 *Resource Management Plan) shall be in effect.*

8 **SEC. 5. MANAGEMENT OF THE JUPITER INLET LIGHTHOUSE**
 9 **OUTSTANDING NATURAL AREA.**

10 *(a) MANAGEMENT.—*

11 *(1) IN GENERAL.—The Secretary, in consultation*
 12 *with the Local Partners and the Commandant, shall*
 13 *manage the Outstanding Natural Area—*

14 *(A) as part of the National Landscape Con-*
 15 *servation System; and*

16 *(B) in a manner that conserves, protects,*
 17 *and enhances the unique and nationally impor-*
 18 *tant historical, natural, cultural, scientific, edu-*
 19 *cational, scenic, and recreational values of the*
 20 *Outstanding Natural Area, including an empha-*
 21 *sis on the restoration of native ecological sys-*
 22 *tems.*

23 *(2) LIMITATION.—In managing the Outstanding*
 24 *Natural Area, the Secretary shall not take any action*
 25 *that precludes, prohibits, or otherwise affects the con-*

1 *duct of ongoing or future Coast Guard operations or*
2 *activities on lots 16 and 18, as depicted on the map.*

3 *(b) USES.—Subject to valid existing rights and section*
4 *6, the Secretary shall only allow uses of the Outstanding*
5 *Natural Area that the Secretary, in consultation with the*
6 *Commandant and Local Partners, determines would likely*
7 *further—*

8 *(1) the purposes for which the Outstanding Nat-*
9 *ural Area is established;*

10 *(2) the Federal Land Policy and Management*
11 *Act of 1976 (43 U.S.C. 1701 et seq.); and*

12 *(3) other applicable laws.*

13 *(c) COOPERATIVE AGREEMENTS.—To facilitate imple-*
14 *mentation of the management plan and to continue the suc-*
15 *cessful partnerships with local communities and other part-*
16 *ners, the Secretary shall, in accordance with section 307(b)*
17 *of the Federal Land Management Policy and Management*
18 *Act of 1976 (43 U.S.C. 1737(b)), enter into cooperative*
19 *agreements with the appropriate Federal, State, county,*
20 *other local government agencies, and other partners (includ-*
21 *ing the Loxahatchee River Historical Society) for the long-*
22 *term management of the Outstanding Natural Area.*

23 *(d) RESEARCH ACTIVITIES.—To continue successful*
24 *research partnerships, pursue future research partnerships,*
25 *and assist in the development and implementation of the*

1 *management plan, the Secretary may, in accordance with*
 2 *section 307(a) of the Federal Land Policy and Management*
 3 *Act of 1976 (43 U.S.C. 1737(a)), authorize the conduct of*
 4 *appropriate research activities in the Outstanding Natural*
 5 *Area for the purposes described in section 3(b).*

6 *(e) ACQUISITION OF LAND.—*

7 *(1) IN GENERAL.—Subject to paragraph (2), the*
 8 *Secretary may acquire for inclusion in the Out-*
 9 *standing Natural Area any State or private land or*
 10 *any interest in State or private land that is—*

11 *(A) adjacent to the Outstanding Natural*
 12 *Area; and*

13 *(B) identified in the management plan as*
 14 *appropriate for acquisition.*

15 *(2) MEANS OF ACQUISITION.—Land or an inter-*
 16 *est in land may be acquired under paragraph (1)*
 17 *only by—*

18 *(A) donation;*

19 *(B) exchange with a willing party; or*

20 *(C) purchase from a willing seller.*

21 *(3) ADDITIONS TO THE OUTSTANDING NATURAL*
 22 *AREA.—Any land or interest in land adjacent to the*
 23 *Outstanding Natural Area acquired by the United*
 24 *States after the date of enactment of this Act under*

1 *paragraph (1) shall be added to, and administered as*
2 *part of, the Outstanding Natural Area.*

3 *(f) LAW ENFORCEMENT ACTIVITIES.—Nothing in this*
4 *Act, the management plan, or the Jupiter Inlet Coordinated*
5 *Resource Management Plan (including any updates or*
6 *amendments to the Jupiter Inlet Coordinated Resource*
7 *Management Plan) precludes, prohibits, or otherwise af-*
8 *fects—*

9 *(1) any maritime security, maritime safety, or*
10 *environmental protection mission or activity of the*
11 *Coast Guard;*

12 *(2) any border security operation or law enforce-*
13 *ment activity by the Department of Homeland Secu-*
14 *rity or the Department of Justice; or*

15 *(3) any law enforcement activity of any Federal,*
16 *State, or local law enforcement agency in the Out-*
17 *standing Natural Area.*

18 *(g) FUTURE DISPOSITION OF COAST GUARD FACILI-*
19 *TIES.—If the Commandant determines, after the date of en-*
20 *actment of this Act, that Coast Guard facilities within the*
21 *Outstanding Natural Area exceed the needs of the Coast*
22 *Guard, the Commandant may relinquish the facilities to*
23 *the Secretary without removal, subject only to any environ-*
24 *mental remediation that may be required by law.*

1 **SEC. 6. EFFECT ON ONGOING AND FUTURE COAST GUARD**
2 **OPERATIONS.**

3 *Nothing in this Act, the management plan, or the Ju-*
4 *piter Inlet Coordinated Resource Management Plan (in-*
5 *cluding updates or amendments to the Jupiter Inlet Coordi-*
6 *nated Resource Management Plan) precludes, prohibits, or*
7 *otherwise affects ongoing or future Coast Guard operations*
8 *or activities in the Outstanding Natural Area, including—*

9 *(1) the continued and future operation of, access*
10 *to, maintenance of, and, as may be necessitated for*
11 *Coast Guard missions, the expansion, enhancement,*
12 *or replacement of, the Coast Guard High Frequency*
13 *antenna site on lot 16;*

14 *(2) the continued and future operation of, access*
15 *to, maintenance of, and, as may be necessitated for*
16 *Coast Guard missions, the expansion, enhancement,*
17 *or replacement of, the military family housing area*
18 *on lot 18;*

19 *(3) the continued and future use of, access to,*
20 *maintenance of, and, as may be necessitated for Coast*
21 *Guard missions, the expansion, enhancement, or re-*
22 *placement of, the pier on lot 18;*

23 *(4) the existing lease of the Jupiter Inlet Light-*
24 *house on lot 18 from the Coast Guard to the*
25 *Loxahatchee River Historical Society; or*

1 (5) *any easements or other less-than-fee interests*
2 *in property appurtenant to existing Coast Guard fa-*
3 *cilities on lots 16 and 18.*

4 ***SEC. 7. AUTHORIZATION OF APPROPRIATIONS.***

5 *There are authorized to be appropriated such sums as*
6 *are necessary to carry out this Act.*

Amend the title so as to read: “A bill to designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape Conservation System, and for other purposes.”.

Union Calendar No. 327

110TH CONGRESS
2^D Session

H. R. 1922

[Report No. 110-536, Part I]

A BILL

To designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, and for other purposes.

MARCH 3, 2008

Reported from the Committee on Natural Resources with
amendments

MARCH 3, 2008

Committee on Transportation and Infrastructure discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed